**5:02:16:03.  Public vote count.** In the presence of all persons desiring to attend the vote counting, the precinct election board or counting board shall immediately proceed to publicly count the votes received at the polls and shall continue without adjournment until the count is completed. The precinct election board or counting board may not exclude or prohibit any member of the public from witnessing any portion of the vote counting, so long as that person's conduct is not disruptive.

 **Source:** 4 SDR 26, effective October 27, 1977; 6 SDR 25, effective September 24, 1979; 20 SDR 4, effective July 19, 1993; 25 SDR 167, effective July 6, 1999.

 **General Authority:** SDCL 12-1-9(4), 12-20-52.

 **Law Implemented:** SDCL 12-15-14, 12-15-14.1, 12-20-1, 12-26-22.